



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202

SEP 19 1986

MEMORANDUM FOR SECRETARY OF THE ARMY
SECRETARY OF THE NAVY
SECRETARY OF THE AIR FORCE

SUBJECT: Internal Audit Policy Memorandum Number 11,
Access to Joint Chiefs of Staff Papers/Planning
Information

REFERENCES:

- (a) DoD Directive 5106.1, "Inspector General of the Department of Defense," March 14, 1983
- (b) Memorandum of Understanding Between the Organization of the Joint Chiefs of Staff and the Inspector General, Department of Defense, to Establish Procedures for Processing Requests for JCS Papers/Planning Information, March 10, 1986
- (c) DoD Directive 7600.2, "Audit Policies," January 10, 1985
- (d) Public Law 95-452, "Inspector General Act of 1978," as amended, October 12, 1978
- (e) DoD Instruction 7050.3, "Access to Records and Information by the Inspector General, Department of Defense," November 9, 1984
- (f) Joint Chiefs of Staff Memorandum of Policy No. 39, "Release Procedures for JCS Papers," October 6, 1947, as revised

A. PURPOSE

This memorandum is issued pursuant to the authority set forth in paragraph G.1. of DoD Directive 5106.1 (reference (a)). This memorandum implements the Memorandum of Understanding (reference (b)) between the Office of the Joint Chiefs of Staff (OJCS) and the Office of the Inspector General, DoD, on the expeditious release of JCS papers and planning information needed to accomplish audit objectives.

B. APPLICABILITY

This memorandum is directive in nature and applies to the operations of the DoD internal audit organizations.

C. BACKGROUND

1. The DoD Directive 7600.2 (reference (c)) provides that unless specifically denied by the head of their component, properly cleared DoD auditors are authorized access to all personnel, facilities, records, reports, data bases, documents, or other DoD information or material they determine are necessary to accomplish an announced audit objective. Public Law 95-452 (reference (d)), DoD Directive 5106.1 (reference (a)), and DoD Instruction 7050.3 (reference (e)) define the rights of Inspector General, DoD, auditors in gaining access to records.

2. Generally, JCS information required by Defense auditors falls in the category of Joint Strategic Planning Systems (JSPS) documents or Joint Operations Planning Systems (JOPS) documents. Release procedures for JSPS and JOPS documents are set forth in Appendix E and Appendix F, respectively, of Joint Chiefs of Staff Memorandum of Policy (MOP) Number 39 (reference (f)). The release authority varies based on the sensitivity of the document in question.

3. The JSPS documents consist of various types of strategic planning documents, including the Joint Strategic Capabilities Plan (JSCP). Release of the JSCP, sections of the JSCP, or extracts from the JSCP requires the approval of the JCS. Holders of JSPS documents, other than JSCP, may release written or oral summaries of the documents to Defense auditors. The written or oral summaries may include unclassified information from the documents; general wartime and peacetime missions of the Unified and Specified Commands; factors used to determine planning force levels; broad regional threat assessments; logistic requirements to support planning forces; and command, control and communications requirements to support planning forces. The written or oral summaries will not include military capabilities and attitudes of allied countries; recommended military strategy; planning forces; and appraisal of major programmed forces. With the concurrence of the cognizant agency and the Services, the Secretary of the JCS may release other portions of JSPS documents, other than JSCP, to auditors.

4. The JOPS documents include operations plans (OPLANS and CONPLANS) and documents produced from time-phased force and deployment data (TPFDD). Supporting plans (components' plans, supporting CINC plans, etc.) are considered to be operation

plans. Holders of JOPS documents may release extracts or summaries to Defense auditors. The extracts or summaries may include the existence of an operation plan to react to a contingency (unless specifically forbidden in the plan itself); generalized assumptions upon which the plan is based for purpose of clarification; Unified and Specified Commands involved in the plan; upper order of magnitude of proposed U.S. forces (by Services); upper order of magnitude of potential enemy forces; whether support is planned by other Government departments; general missions of Service components; gross supply estimates; ports of embarkation and debarkation; plan limitations; and plan numbers. The extracts or summaries may not include specific plan assumptions; references; specific force requirements (including force requirement numbers); time-phasing of specific units or supply support, except in general terms; unit designations; discussion of nuclear options and employment plans; specific details of enemy capabilities or the potential enemy threat; specific information of a tactical or a strategic employment nature; final destinations in final deployment areas and lines of communication; and detailed logistic information that would permit determination of critical operation plan details. Holders are required to refer requests for JOPS documents beyond their release authority to the Secretary of the JCS with a release recommendation.

5. Although MOP-39 states that it is not a denial document, implementation within the Military Departments has resulted in denying auditors documents they needed to perform audits in a timely and professional manner. In order to ensure that auditors are provided expeditious access to information they need, a Memorandum of Understanding (reference (b)) was executed by the Director, Joint Staff, and the Deputy Inspector General, DoD, on March 10, 1986 (copy enclosed).

D. POLICY

Internal audit organizations within DoD are entitled to JCS papers or planning information needed to accomplish approved audit objectives unless a denial is exercised by the Secretary of Defense pursuant to the Inspector General Act of 1978, as amended. Audit organizations shall rapidly accelerate requests for OJCS information to the OJCS level on first indication that information cannot be obtained at the Service level. Audit organizations shall participate in discussions with OJCS personnel and attempt to resolve the issue of access to the mutual benefit of both their audit organizations and the OJCS.

E. RESPONSIBILITIES

1. Military Department Audit Organizations

a. Ensure that audit objectives are clearly and concisely written and can be used to support a request for information from OJCS.

b. Advise the Assistant Inspector General for Audit Policy and Oversight on first indication (during preplanning, survey or verification) that coordination with the OJCS will be needed to obtain access to any information or sources of information the audit activity determines are needed to properly accomplish an audit objective. For certain types of information, it will be evident that Service officials cannot release required information without OJCS approval. For other types of information, it will be appropriate to attempt to obtain the information from Service officials. If an attempt is made to obtain the information from Service officials, the AIG-APO, will be notified within 15 workdays of the time that the auditor requests information and is not granted access. The notification to AIG-APO will initially be made by telephone and then confirmed in writing. The notification will include:

(1) Name of audit.

(2) Name and title of the individual to whom the request was made.

(3) Name and title of audit official making the request.

(4) Time and date of the request.

(5) Specific information requested.

(6) Comments including stated reason for not furnishing information requested.

c. Make appropriate audit personnel available to participate in discussions with OJCS personnel in order to obtain required information.

2. AIG-APO

a. On notification by an audit organization that they believe coordination with OJCS will be required to obtain access to any information or sources of information needed to

perform an audit, contact the Documents Division, Joint Secretariat, OJCS, and arrange for and attend a conference between OJCS and audit organization officials to implement the terms of the Memorandum of Understanding Between the OJCS and the IG, DoD.

(1) Review and discuss the audit objectives and identify the specific information required to accomplish them.

(2) Agree on the format for access to or release of the agreed upon information (discussions with planning personnel, briefings, summaries, extracts, etc.).

b. Determine, in coordination with the DoD audit organization(s) involved, if the actions taken as a result of the conferences are acceptable.

c. If, in the judgment of the AIG-APO, the actions taken by OJCS are unacceptable, notify the OJCS of the determination and follow-up to determine that, within 30 days of receipt of notice, the OJCS provides the information requested or forwards a recommendation for denial to the Secretary of Defense.

d. If, after agreement has been reached with OJCS, and the Joint Chiefs of Staff determine that the agreement to release the data is unacceptable, follow-up to determine that the matter is resolved or that, within 30 days from the date of the original agreement, a recommendation for denial is sent to the Secretary of Defense.

3. Assistant Inspector General for Auditing, OIG, DoD

a. Ensure that audit objectives are clearly and concisely written and can be used to support a request for information from OJCS.

b. Promptly contact the OJCS (Documents Division, Joint Secretariat) when it appears that coordination with OJCS will be required to obtain access to any information or sources of information needed to perform an audit. With respect to Defense-wide audits, which involve the Military Service audit organizations, coordination efforts with the OJCS shall consider the information requirements of all the DoD audit organizations which will participate in the audit.

c. Schedule and attend conferences with OJCS. The purpose of the conferences will be to:

(1) Provide the auditors with sufficient information about the contents of JCS papers and/or planning

information to permit auditors to determine what information exists to accomplish audit objectives.

(2) Review and discuss the audit objectives and identify the specific information required to accomplish them.

(3) Agree upon the format for access to or release of the agreed upon information (discussions with planning personnel, briefings, summaries, extracts, etc.).

d. If, in the judgment of the Assistant Inspector General for Auditing, the actions taken by OJCS are unacceptable, notify the OJCS of this determination and follow-up to determine that, within 30 days of receipt of notice, the OJCS provides the information requested or forwards a recommendation for denial to the Secretary of Defense.

e. If, after agreement has been reached with OJCS, and the Joint Chiefs of Staff determine that the agreement to release the data is unacceptable, follow-up to determine that the matter is resolved or that, within 30 days from the date of the original agreement, a recommendation for denial is sent to the Secretary of Defense.

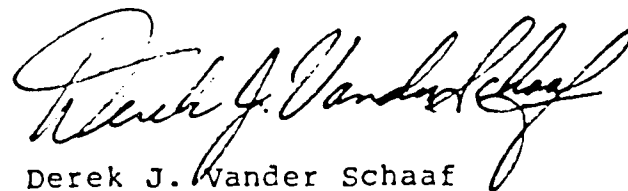
f. Promptly notify the AIG-APO of any instances where disputes are not settled within the timeframes specified in the Memorandum of Understanding and OJCS is required to forward a recommendation for denial to the Secretary of Defense.

F. ACTION REQUIRED

Internal audit organizations of DoD shall ensure that their policies and operating procedures comply with this Internal Audit Policy Memorandum.

G. EFFECTIVE DATE

This Internal Audit Policy Memorandum is effective for two years from the date of issue or until incorporated into a DoD directive or instruction.



Derek J. Vander Schaaf
Deputy Inspector General

Enclosure

MEMORANDUM OF UNDERSTANDING
BETWEEN THE ORGANIZATION OF THE JOINT CHIEFS OF STAFF
AND THE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE,
TO ESTABLISH PROCEDURES FOR PROCESSING REQUESTS
FOR JCS PAPERS/PLANNING INFORMATION

Unless specifically denied by the Secretary of Defense, properly cleared Department of Defense (DoD) auditors are authorized access to all personnel, facilities, records, reports, data bases, documents, or other DoD information or material they determine is necessary to accomplish an announced audit objective. As provided by the Inspector General Act of 1978, as amended, the Secretary may deny access when he determines that the denial is necessary to preserve the national security interests of the United States.

The following procedures are established to ensure that auditors are provided expeditious access to the information they need, except for those instances in which the Organization of the Joint Chiefs of Staff (OJCS) believes denial by the Secretary of Defense is appropriate.

It is agreed that:

1. Auditors from the Office of the DoD Assistant Inspector General for Auditing, the Army Audit Agency, the Naval Audit Service and the Air Force Audit Agency may contact the OJCS (Documents Division; Joint Secretariat) directly when the audit activity has reason to believe that coordination with the OJCS will be required to obtain access to any information or sources of information the audit activity determines are needed to properly accomplish an approved audit objective.
2. The OJCS will host a conference with the auditors and appropriate Joint Staff and Service personnel as soon as possible after notification, in accordance with the provisions in paragraph 1 above to:
 - a. Provide the auditors with sufficient information about the contents of JCS papers and/or planning information to permit auditors to determine what information exists to accomplish audit objectives.
 - b. Review and discuss the audit objectives and identify the specific information required to accomplish them.
 - c. Agree upon the format for access to or release of the agreed upon information (discussions with planning personnel, briefings, summaries, extracts, etc.).

3. The OJCS will provide access to or release of the agreed upon information or, where appropriate, cause the Services and the Unified/Specified Commands to provide such access or release of agreed upon information as soon as possible after agreement, but not more than 30 days thereafter. The OJCS will designate any sensitive documents which are required to be returned after completion of the audit. Such documents will be retained by the OJCS for a minimum of two years.

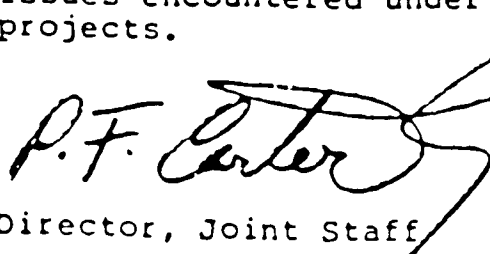
4. Upon notification by the Assistant Inspector General for Audit Policy and Oversight or the Assistant Inspector General for Auditing that the actions being taken by the OJCS on matters related to requests by DoD auditors are unacceptable, the OJCS will have 30 days from the date of receipt of such notice to provide the information requested or to forward a recommendation for denial to the Secretary of Defense for a determination pursuant to the Inspector General Act of 1978, as amended.

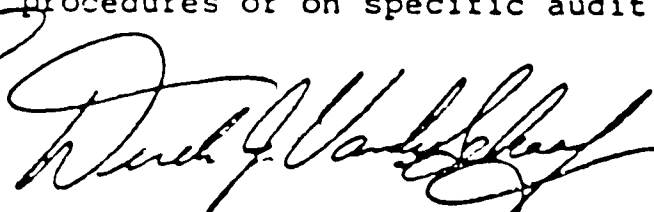
5. If after an agreement has been reached under the procedures set forth above and the Joint Chiefs of Staff determine the agreed upon release of data is unacceptable, the matter will either be resolved by agreement between the parties or the OJCS will, within 30 days from the date of the original agreement, forward a recommendation for denial to the Secretary of Defense for a determination pursuant to the Inspector General Act of 1978, as amended.

6. For extremely sensitive joint planning documents, OJCS may certify in writing as to the accuracy of extracts furnished by OJCS, as opposed to granting access to the complete plan. Such certification will be accepted by the auditors unless there are valid reasons to question the accuracy and completeness of the data.

7. The Vice Director, Joint Staff, is the designated senior official to handle all questions regarding access to JCS information. (DODI 7050.3)

8. The Vice Director, Joint Staff, may contact the DoD Assistant Inspector General for Audit Policy and Oversight or the DoD Assistant Inspector General for Auditing to resolve issues encountered under these procedures or on specific audit projects.


Director, Joint Staff


Deputy Inspector General,
Department of Defense

Date 10 March 1986

Date March 7, 1986